

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Wendy Summers, Administrator of the Estate of Courtney McLeod,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	CASE NO.: 17-00191
John Wetzel, et al.,	:	
	:	
Defendants.	:	

JOINT STATUS REPORT PURSUANT TO RULE 26(f)

Basis of Jurisdiction: Civil Rights Act of 1866, as amended, 42 U.S.C. §1983

A Jury Trial has been requested by Plaintiff.

Plaintiff's Counsel Participating in Rule 16 Conference:

David M. Maselli, Esquire
Hill & Associates, P.C.
123 South Broad Street, Suite 1100
Philadelphia, PA 19103
(215) 567-7600

Defendants' Counsel Participating in Rule 16 Conference:

Matthew Skolnik, Esquire
Deputy Attorney General
Office of Attorney General
1600 Arch Street, 3rd Floor
Philadelphia, PA 19103
(215) 560-2136

Do Counsel have full authority to settle at the Rule 16 Conference?

Plaintiff's Counsel has full authority to settle at the Conference.

Defendants' Counsel will have client with full authority (located in Harrisburg) available by telephone.

The Parties held the Rule 26 Conference on **August 7, 2018**.

When did the Parties comply with the Rule 26(a)'s duty of self-executing disclosures?

Plaintiff complied on July 21, 2017.

Defendants complied on August 10, 2018.

Does either side expect to file a case-dispositive motion? Yes – Defendants

Under What Rule: Rule 56

Specify the issue: Whether each of the Defendants violated decedent's constitutional rights; whether Plaintiff satisfies her burden of proof based on the evidentiary record; statute of limitations with respect to certain individual defendants not yet served.

Proposed deadline for filing dispositive motions: 30 days after expert discovery.

Does either side anticipate the use of experts? Yes

Proposed Deadlines for expert reports: Plaintiff – 30 days after fact discovery
Defendant – 30 days after Plaintiff's reports

Approximate date case should be trial-ready: July 8, 2019

Time for Plaintiff's Case – **2 days** Time for Defendant's Case – **2 days**

Is a settlement conference likely to be helpful? Yes – after the close of fact and expert discovery

Early – No.

After discovery – Yes

Do the parties wish to proceed before a Magistrate Judge? No.

Plan for Discovery

1. The parties anticipate that discovery should be completed within **180 days**. (including expert discovery)
2. What is the minimum amount of time necessary to complete discovery prior to an ADR session, should one be ordered or agreed to? **120 days**.
3. Have the parties discussed issues relating to claims of privilege or of protection as trial-preparation material, as required by Rule 26(f)(3)(D)? **Yes**.
4. Identify any other discovery issues which should be addressed at the Rule 16 Conference, including limitations on discovery, protective Orders needed, or other elements which should be included in a particularized discovery plan.
 - a. Plaintiff needs to sign a HIPAA release/waiver form.
5. If you contend the discovery period to exceed 90 days, please state reason: Plaintiff anticipates having to subpoena a number of non-party witnesses for depositions.